

August 10, 2021 Council Meeting

The regular meeting of the Council of the City of Martinsville, Virginia was held on August 10, 2021 in Council Chambers, Municipal Building, at 7:00 PM with Mayor Kathy Lawson presiding. Other Council Members present included Danny Turner, and Tammy Pearson. Staff present included City Manager Leon Towarnicki, Assistant City Manager/City Attorney Eric Monday, Clerk of Council Karen Roberts, and Deputy Police Chief Rob Fincher.

Mayor Lawson called the meeting to order and advised Council would go into Closed Session beginning at 6:40 PM. In accordance with section 2.1-344 (A) Code of Virginia (1950, and as amended) and upon a motion by Council Member Turner, seconded by Council Member Pearson with the following 3-0 recorded vote: Council Member Turner, aye; Council Member Pearson, aye; and Mayor Lawson, aye. Vice Mayor Bowles and Council Member Martin had scheduling conflicts and were unable to attend the meeting in person. City Attorney Monday referenced Virginia Code 2.2-3708.2(A (1b) which would give Bowles and Martin the option to participate in the Council meeting by phone. Council Member Turner made a motion to allow Bowles and Martin to participate telephonically; Council Member Pearson seconded the motion with the following 3-0 roll call vote: Lawson, aye; Pearson, aye; and Turner, aye. Council convened in Closed Session to discuss the following matters: (A) Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, as authorized by Subsection 6. At the conclusion of Closed Session, each returning member of Council certified that (1) only public business matters exempt from open meeting requirements were discussed in said Closed Session; and (2) only those business matters identified in the motion convening the Closed Session were heard, discussed, or considered during the meeting. A motion was made by Council Member Turner; seconded by Council Member Pearson with the following 5-0 recorded vote in favor to recess Closed Session and return to Open Session: Mayor Lawson, aye; Vice Mayor Bowles, aye; Council Member Turner, aye; Council Member Martin, aye; and Council Member Pearson, aye. No action was taken out of Closed Session.

Following the Pledge to the American Flag and invocation by Council Member Martin, Lawson welcomed everyone to the meeting. Mayor Lawson explained that the meeting would follow COVID guidelines, allowing limited attendance and recognizing social distancing recommendations.

Approve minutes from the July 27, 2021 Council Meeting – Council Member Pearson made a motion to approve the minutes as presented. Council Member Turner seconded the motion with all Council Members voting in favor.

Hear information from the Virginia Department of Health regarding the Covid 19 pandemic and planned efforts in regard to promoting vaccinations and addressing concerns over rising cases – City Manager Towarnicki welcomed Nancy Bell, representative of the Health Department. Bell explained if the citizens of Martinsville do their part and get vaccinated, the COVID pandemic will turn around. Martinsville has one of the worst vaccination rates in the

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state. The Health Department plans to hire community health workers to relay information throughout the community in hopes that residents will listen to the advice of these regular citizens more than they listen to recommendations by a government official. They are working hard to curb the rumors related to COVID vaccinations. Bell continues to encourage everyone, including her family to wear a mask. Pearson had read a news article about health care workers doing vaccinations door-to-door and asked Bell if that was an option. Bell explained that the local office will not offer door-to-door vaccinations without a medical team or a police officer in tow. Health Care workers will be hired to educate residents and arrange the vaccinations including transportation when needed. Bell explained that the 13-18 age group has a very low percentage of vaccinations. If any organization or church in the area coordinates a vaccination clinic and enough people sign up, the Health Department will send out a team to vaccinate those people. Vice Mayor Bowles asked for recommendations to prevent the spread since schools are going back and how to prevent those who have been vaccinated from getting it again. Bell encouraged vaccinations and masks, stating that millions of people have been vaccinated and it's proven successful. The Delta variant is lethal, don't risk your life because of false information. Mayor Lawson said COVID guidelines are still being following in the Municipal building even though the governor has lifted the restrictions. Martin asked what residents can do to protect themselves when their employer requires them to come to work. Bell said that the Health Department had received hundreds of calls reporting employers not following COVID guidelines; those complaints were referred to the labor board. The Health Department had multiple conversations with local employers, and performed unexpected inspections. It appears that most of the larger corporations in the community are now taking COVID seriously and working to protect their employees.

Consider adoption of a resolution confirming Council's concurrence with revisions to the West Piedmont Planning District Commission's Charter as approved by the WPPDC's Board of Commissioners at their May 27, 2021 meeting – Michael Armbrister, WPPDC Executive Director summarized the need for this resolution related to changes in the verbiage of the charter. Council Member Turner made a motion to adopt the resolution. Council Member Pearson seconded the motion with the following roll call vote: Council Member Martin, aye; Council Member Turner, aye; Vice Mayor Bowles, aye; Mayor Lawson, aye; and Council Member Pearson.



RESOLUTION

AMENDMENTS TO THE CHARTER AGREEMENT OF THE WEST PIEDMONT PLANNING DISTRICT COMMISSION (WPPDC)

WHEREAS, the West Piedmont Planning District Commission (WPPDC) serves the counties of Franklin, Henry, Patrick, and Pittsylvania; the cities of Danville and Martinsville; and the Town of Rocky Mount providing an extensive array of services intended to promote regional cooperation and collaboration as well as direct technical assistance to individual communities; and

WHEREAS, the WPPDC was created in accordance with Section 15.2-2210 of the Code of Virginia and was chartered by the aforementioned localities via a charter agreement dated March 15, 1970 and subsequently amended March 15, 1973; and

WHEREAS, Article IX of the charter agreement which addresses amendments to said agreement states it may only be amended, supplemented, or superseded by concurring resolutions from a majority of the member governmental subdivision constituting the membership of the WPPDC; and

WHEREAS, at a meeting held May 27, 2021 the West Piedmont Planning District Board of Commissioners considered and approved proposed revisions to its charter agreement and hereby seeks concurrence by its local government members for these revisions which are detailed in the attachments accompanying this resolution;

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Martinsville, Virginia, assembled this 10th day of August, 2021 hereby concurs with the proposed revisions to the West Piedmont Planning District Commission charter agreement duly considered, recommended, and approved by its Board of Commissioners at a meeting May 27, 2021.

Kathy Lawson
Mayor

WEST PIEDMONT PLANNING DISTRICT COMMISSION

CHARTER AGREEMENT

Article I	Name, Location, Authority, Purpose
Article II	Membership
Article III	Terms of Office and Voting Rights
Article IV	Officers
Article V	Addition or Withdrawal of Members
Article VI	Appointment of an Executive Committee and Adoption of Bylaws
Article VII	Meetings
Article VIII	Amendments
Article IX	Date of Organization

Amended March 15, 1973

Amended XXXX, 2021

CHARTER AGREEMENT

OF THE WEST PIEDMONT PLANNING DISTRICT COMMISSION

This Charter Agreement to organize a Planning District Commission made this 15th day of March, 1970, by and between the undersigned governmental subdivisions as authorized by the Virginia Area Development Act (Title 15.1, Chapter 34, Sections 15.1-1400, et. Seq., Code of Virginia (1950), as amended):

NOW THEREFORE it is agreed that:

ARTICLE I Name, Location, Authority, Purpose

- Section 1. The name of this organization shall be the West Piedmont Planning District Commission, hereinafter called the "COMMISSION."
- Section 2. The principal office of the COMMISSION shall be in Martinsville, Virginia. The location of the principal office may be changed by the concurrence of two-thirds of the COMMISSION members present at a regular meeting, provided that the clerk of the governing body of each member governmental subdivision has been notified of the contemplated relocation in writing at least thirty days before such meeting.
- Section 3. The COMMISSION shall be a public body corporate and politic with all the powers and duties granted to it by the Virginia Area Development Act.
- Section 4. The purpose of the COMMISSION shall be to promote the orderly and efficient development of the physical, social, and economic elements of the Planning District by planning, and encouraging and assisting governmental subdivisions to plan for the future.

ARTICLE II Membership

- Section 1. The membership of the West Piedmont Planning District Commission unless otherwise amended by the terms in Article V of this charter agreement shall be constituted the counties of Franklin, Henry, Patrick and Pittsylvania; the cities of Danville and Martinsville; and the Town of Rocky Mount.

- Section 2. Governmental subdivisions which are parties to this Charter Agreement shall appoint three members to the COMMISSION on the following basis: from each jurisdiction, two members of the governing body, and one non-elected resident qualified voter.
- Section 3. Vacancies on the COMMISSION shall be filled for the unexpired term in the same manner as the original appointment was made.
- Section 4. Any member of the COMMISSION shall be eligible for reappointment but may be removed for cause by the respective appointing local governing body.

ARTICLE III Terms of Office and Voting Rights

- Section 1. The terms of office of COMMISSION members who are also members of governing bodies shall be coincident with their elected terms of office or such shorter term as their governing bodies shall determine. The terms of office of the citizen members shall be three years. However, in the absence of action by a governing body to designate a replacement for a serving citizen member, he shall continue in office until such designation shall have been made.
- Section 2. Each member of the COMMISSION shall have one equal vote in all matters before the COMMISSION. However, on any vote before the Board, a member may request a population-weighted vote. In such a case, each jurisdiction is allocated one vote per 5,000 in population, or major fraction thereof, the votes to be cast by the member designated for that purpose by the jurisdiction. When voting by this procedure, a two-thirds majority is necessary to carry the issue.

ARTICLE IV Officers

- Section 1. Officers of the COMMISSION shall consist of a Chairman, Vice-Chairman, and Treasurer who shall be elected by the membership of the COMMISSION.
- Section 2. The Chairman and Vice-Chairman shall be elected for terms for one year or until their successors are elected.
- Section 3. COMMISSION officers shall be eligible for the re-election.
- Section 4. The COMMISSION shall appoint an Executive Director who shall be an employee of the COMMISSION and shall serve at the pleasure of a majority of the membership.

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Section 5. The COMMISSION may designate its Executive Director as the organization's secretary.

ARTICLE V Addition or Withdrawal of Members

Section 1. Any governmental subdivision of more than 3,500 in population within the West Piedmont Planning District which is not a party to this Charter Agreement at the effective date thereof may thereafter join the COMMISSION provided that such governmental subdivision is eligible for membership and that it adopts and executes this Agreement.

Section 2. Any governmental subdivision may withdraw from the COMMISSION by submitting to the COMMISSION in writing, at least ninety days before the end of the COMMISSION's then current fiscal year, a notice of intent to withdraw. Such withdrawal shall not become effective until the COMMISSION's fiscal year has ended.

ARTICLE VI Appointment of an Executive Committee and Adoption of By-laws

Section 1. The COMMISSION may designate an Executive Committee and delegate to it such powers as the COMMISSION may determine, provided that these powers are not inconsistent with provisions of the Virginia Area Development Act.

ARTICLE VII Meetings

Section 1. The COMMISSION shall hold regular meetings on a schedule which will be determined by the membership.

Section 2. Meetings of the COMMISSION shall be open to the public; however, the COMMISSION may hold executive meetings.

ARTICLE VIII Amendments

Section 1. This Charter Agreement may be amended, supplemented, or superseded only by concurring resolutions from a majority of the member governmental subdivisions. All proposed amendments shall be submitted to the COMMISSION for its review and comment to the member governmental subdivisions.

ARTICLE IX Date of Organization

Section 1. The organization of the West Piedmont Planning District Commission shall be effective on the 31st day of March, 1970, or at such time after this date when the Charter Agreement has been adopted and signed by that governmental subdivision whose population when added to the aggregate population of those who have already adopted and signed the Charter Agreement embraces the majority of the population within the Planning District.

WEST PIEDMONT PLANNING DISTRICT COMMISSION CHARTER AGREEMENT

Article I	Name, Location, Authority, Purpose
Article II	Membership
Article III	Terms of Office and Voting Rights
Article IV	Officers
Article V	Planning District Commission – Regional Planning Commission Merger
Article VI	Addition or Withdrawal of Members
Article VII	Appointment of an Executive Committee and Adoption of Bylaws
Article VIII	Meetings
Article IX	Amendments
Article X	Date of Organization

Amended March 15, 1973
Amended XXXX , 2021

CHARTER AGREEMENT OF THE WEST PIEDMONT PLANNING DISTRICT COMMISSION

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- Section 3. The COMMISSION shall be a public body corporate and politic with all the powers and duties granted to it by the Virginia Area Development Act.
- Section 4. The purpose of the COMMISSION shall be to promote the orderly and efficient development of the physical, social, and economic elements of the Planning District by planning, and encouraging and assisting governmental subdivisions to plan for the future.

<p style="text-align: center;">ARTICLE II Membership</p> <p>Section 1. The membership of the West Piedmont Planning District Commission unless otherwise amended by the terms in Article VI of this charter agreement shall be constituted the counties of Franklin, Henry, Patrick and Pittsylvania; the cities of Danville and Martinsville; and the Town of Rocky Mount.</p> <p>Section 3. COMMISSION members shall be appointed by the respective governing bodies of those political subdivisions which are parties to this Charter Agreement provided, however, that at least a majority, but not substantially more than a majority, of the COMMISSION's members shall be elected officials of the governing bodies of the governmental subdivisions within the Planning District with each participating county, city, and town of more than 3,500 population having at least one representative, and the other members being qualified voters and residents of the District, who hold no office elected by the people.</p> <p>Section 2. Governmental subdivisions which are parties to this Charter Agreement shall appoint three members to the COMMISSION on the following basis: from each jurisdiction, two members of the governing body, and one non-elected resident qualified voter.</p> <p>Section 3. Vacancies on the COMMISSION shall be filled for the unexpired term in the same manner as the original appointment was made.</p> <p>Section 4. Any member of the COMMISSION shall be eligible for reappointment but may be removed for cause by the respective appointing local governing body which appointed him.</p> <p style="text-align: center;">ARTICLE III Terms of Office and Voting Rights</p> <p>Section 1. The terms of office of COMMISSION members who are also members of governing bodies shall be coincident with their elected terms of office or such shorter term as their governing bodies shall determine. The terms of office of the citizen members shall be three years. However, in the absence of action by a governing body to designate a replacement for a serving citizen member, he shall continue in office until such designation shall have been made.</p> <p>Section 2. Each member of the COMMISSION shall have one equal vote in all matters before the COMMISSION. However, on any vote before the Board, a member may request a</p>	<p>population-weighted vote. In such a case, each jurisdiction is allocated one vote per 5,000 in population, or major fraction thereof, the votes to be cast by the member designated for that purpose by the jurisdiction. When voting by this procedure, a two-thirds majority is necessary to carry the issue.</p> <p style="text-align: center;">ARTICLE IV Officers</p> <p>Section 1. Officers of the COMMISSION shall consist of a Chairman, and Vice-Chairman, and <i>Treasurer</i> who shall be elected by the membership of the COMMISSION. The COMMISSION, if it desires, may elect other officers such as a secretary-treasurer.</p> <p>Section 2. The Chairman and Vice-Chairman shall be elected for terms for one year or until their successors are elected.</p> <p>Section 3. COMMISSION officers shall be eligible for the re-election.</p> <p>Section 4. The COMMISSION shall appoint an Executive Director who shall be an employee of the COMMISSION and shall serve at the pleasure of a majority of the membership.</p> <p>Section 5. The COMMISSION may designate its Executive Director as the organization's secretary-treasurer.</p> <p style="text-align: center;">ARTICLE V Planning District Commission—Regional Planning Commission Merger</p> <p>Section 1. Upon the ratification of this Charter Agreement of Counties of Franklin and Pittsylvania, formerly members of the Reservoir Regional Planning Commission but now within the West Piedmont Planning District shall merge with the West Piedmont Planning District Commission. Their proportionate share of all assets shall be transferred to the West Piedmont Planning District Commission and shall be reserved for use on projects initiated by the Reservoir Regional Planning Commission.</p> <p style="text-align: center;">ARTICLE VI Addition or Withdrawal of Members</p> <p>Section 1. Any governmental subdivision <i>of more than 3,500 in population</i> within the West Piedmont Planning District which is not a party to this Charter Agreement at the effective</p>
<p>date thereof may thereafter join the COMMISSION provided that such governmental subdivision is eligible for membership and that it adopts and executes this Agreement.</p> <p>Section 2. Any governmental subdivision may withdraw from the COMMISSION by submitting to the COMMISSION in writing, at least ninety days before the end of the COMMISSION's then current fiscal year, a notice of intent to withdraw. Such withdrawal shall not become effective until the COMMISSION's fiscal year has ended.</p> <p style="text-align: center;">ARTICLE VII Appointment of an Executive Committee and Adoption of By-laws</p> <p>Section 1. The COMMISSION may designate an Executive Committee and delegate to it such powers as the COMMISSION may determine, provided that these powers are not inconsistent with provisions of the Virginia Area Development Act.</p> <p style="text-align: center;">ARTICLE VIII Meetings</p> <p>Section 1. The COMMISSION shall hold regular meetings on a schedule which will be determined by the membership.</p> <p>Section 2. Meetings of the COMMISSION shall be open to the public; however, the COMMISSION may hold executive meetings.</p> <p style="text-align: center;">ARTICLE IX Amendments</p> <p>Section 1. This Charter Agreement may be amended, supplemented, or superseded only by concurring resolutions from a majority of the member governmental subdivisions. All proposed amendments shall be submitted to the COMMISSION for its review and comment to the member governmental subdivisions.</p> <p style="text-align: center;">ARTICLE X Date of Organization</p> <p>Section 1. The organization of the West Piedmont Planning District Commission shall be effective on the 31st day of March, 1970, or at such time after this date when the Charter Agreement has been adopted and signed by that governmental subdivision whose population when</p>	<p>added to the aggregate population of those who have already adopted and signed the Charter Agreement embraces the majority of the population within the Planning District.</p>

Consider for review and discussion, a draft public comment policy for future Council meetings – City Attorney Monday explained the need for updates to the public comment policy for future Council meetings. In the past, “business from the floor” has been a “free for all” and has included concerns outside of Council’s control. Monday researched how other localities

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handle “business from the floor”. Monday summarized the changes recommended and confirmed that this policy does not apply to public hearings. Council Member Turner made a motion to approve the new policy. Vice Mayor Bowles seconded the motion with all Council Members voting in favor.

This DRAFT is a combination of the City's previous policy and that of several other localities. There is no need to continue reading the policy at every meeting (unless the Mayor desires to do so); printing it on the agenda is sufficient.

The public comment portion of the Council meeting provides citizens the opportunity to discuss matters relevant to the operation of the City, which are not listed on the printed agenda.

Citizens who wish to participate in a meeting's public comment period may do so by emailing their comments to Karen Roberts, Clerk of Council, at kroberts@ci.martinsville.va.us, calling in their comments to 276-403-5182, faxing comments to 276-403-5280, or mailing comments to City of Martinsville, attn.: Karen Roberts, P.O. Drawer 1112, Martinsville, VA 24114. Citizens may also request to speak at the Council meeting in the same manner. Comments, or a request to speak, must be received by noon the day before a Council meeting for consideration by Council at the meeting.

Any person submitting comments or requesting to speak must identify themselves by name and address, including zip code, limit their remarks to 3 minutes or less (as read aloud), address a topic of City business, and refrain from making any personal references or accusations of a factually false and/or malicious nature. Priority for comments is given to City residents, taxpayers, and business owners. Speakers may not yield time. Groups of speakers on the same topic must designate a single representative. Comments violating these rules may not be presented at the Council meeting. Any speaker violating these rules may be removed from the podium or from the Council chamber.

This policy does not apply to public hearings, at which any citizen of Martinsville may appear and speak on the subject of the public hearing.

Consider approval of consent agenda – Vice Mayor Bowles made a motion to approve the Consent Agenda as presented. Council Member Pearson seconded the motion with all Council Members voting in favor.

BUDGET ADDITIONS FOR 08/10/21				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
BUDGET ADDITIONS				
FY2021				
General Fund:				
01100908	480414	Misc. Revenue - Inmate Work Crew		925
01331110	506211	Sheriff - Annex - Work Crew Supplies	925	
		Donations/Recyclables Inmate Cleanup		
01100909	490801	Recovered Costs - Senior Services		2,158
01714212	501300	Senior Services - Part-time Wages	1,470	
01714212	502100	Senior Services - Social Security	91	
01714212	502110	Senior Services - Medicare	21	
01714212	506049	Senior Services - Vehicle Fuels	576	
		Transportation Grant - April through June		
01100908	480420	Donations/Senior Services		120
01714212	506001	Senior Services - Office Supplies	120	
		Donations		
01101917	442301	Categorical Other - State - Senior Citizens		2,663
01714212	501300	Senior Services - Part-time Wages	2,474	
01714212	502100	Senior Services - Social Security	153	
01714212	502110	Senior Services - Medicare	36	
		State Reimbursement for Transportation		
01100909	490104	Advance/Recovered Costs		26,189
01812242	506067	Misc. Expense - RADAR Transit Program	26,189	
		Reimbursement for fuel costs		
Total General Fund:			32,055	32,055
FY2022				
General Fund:				
01100908	480412	Misc. Revenue - Donations/Sheriff		300
01217078	506138	Sheriff/Corrections - MC Equip/Maint	300	
		Donations to the Sheriff's Department		
01100908	480414	Misc. Revenue - Inmate Work Crew		580
01331110	506211	Sheriff - Annex - Work Crew Supplies	580	
		Donations/Recyclables Inmate Cleanup		
Total General Fund:			880	880

Business from the Floor - None

Comments by City Council – Council Member Turner attended a ribbon cutting at the TAD Space; Turner said the TAD Space has turned into a top-notch facility. Council Member Pearson invited residents to the TAD Space on Thursday, sharing that there will be a meeting in

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conjunction with Uptown Partnership to provide feedback on what residents want the community to look like in the future. Martinsville schools started yesterday and Pearson prays for a successful year. Bowles thanked Council for allowing her to participate telephonically. Lawson also complimented the TAD Space, saying that it is an unbelievable facility and available for the community. Wayne Draper and his team did a fabulous job in bringing life to a building that has not been utilized in many years.

Comments by the City Manager – City Manager Towarnicki shared that the Community Business Launch awards will be held Wednesday in Council Chambers. This is an annual program where local residents receive training and assistance on how to successfully open and manage their own business. At the end of the training, the participants present their business plans to judges with the opportunity to be awarded funds to assist in their opening.

City Attorney Monday stated that the reversion process is on schedule and shared details about upcoming public meetings.

There being no further business, Council Member Turner made a motion to adjourn the meeting; the motion was seconded by Council Member Pearson with all Council Members voting in favor. The meeting adjourned at 8:05pm.

Karen Roberts
Clerk of Council

Kathy Lawson
Mayor